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ORDER ADOPTING FINDINGS, CONCLUSIONS AND RECOMMENDATION OF THE UNITED STATES MAGISTRATE JUDGE

After making an independent review of the pleadings, files and records in this case, and the Findings, Conclusions and Recommendation of the United States Magistrate Judge, I am of the opinion that the Findings and Conclusions of the Magistrate Judge are correct, and they are adopted as the findings and conclusions of the Court.

Signed this 151L day of July, 2005.

JORGE A. SOLIS

UNITED STATES DISTRICT JUDGE